



September 27, 2012

VIA ELECTRONIC FILING (ECFS)

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: Ex Parte Presentation in WT Docket No. 12-70, Service Rules for Advanced Wireless Services in the 2000-2020 MHz and 2180-2200 MHz Bands; ET Docket No. 10-142, Fixed and Mobile Services in the Mobile Satellite Service Bands at 1525-1559 MHz and 1626.5-1660.5 MHz, 1610-1626.5 MHz and 2483.5-2500 MHz, and 2000-2020 MHz and 2180-2200 MHz; and WT Docket No. 04-356, Service Rules for Advanced Wireless Services in the 1915-1920 MHz, 1995-2000 MHz, 2020-2025 MHz and 2175-2180 MHz Bands

Dear Ms. Dortch:

DISH Network Corporation ("DISH") and the United States GPS Industry Council ("USGIC") are pleased to report to the Commission that they have reached agreement with respect to out-of-band-emissions ("OOBE") from DISH's operations in the 2000-2020 MHz and 2180-2200 MHz bands, both under DISH's Ancillary Terrestrial Component ("ATC") authorizations and under any AWS-4 authorizations that may be issued to DISH or its subsidiaries. For the avoidance of doubt, this agreement applies only to the 2000-2020 MHz and 2180-2200 MHz bands, and not any other band or bands.

Specifically, DISH agrees that transmissions from ATC and AWS-4 systems operating in the 2000-2020 MHz and 2180-2200 MHz bands shall limit their OOBE EIRP densities into radionavigation satellite service ("RNSS") systems operating in the 1559-1610 MHz frequency band to comply with the following limits:¹

(1) Mobile transmitters having intermittent transmissions shall limit EIRP density for:

- (i) Wideband emissions to no more than -95 dBW/MHz; and
- (ii) Narrowband emissions to no more than -105 dBW/kHz.

(2) Fixed or mobile base stations shall limit EIRP density for:

¹ DBSD and TerreStar had previously accepted these limits as a condition of their ATC authorizations. TerreStar Networks Inc. Application for Blanket Authority to Operate Ancillary Terrestrial Component Base Stations and Dual-Mode MSS-ATC Mobile Terminals in the 2 GHz MSS Bands, *Order and Authorization*, 25 FCC Rcd. 228, 237 ¶ 28 (2010); New ICO Satellite Services G.P. Application for Blanket Authority to Operate Ancillary Terrestrial Component Base Stations and Dual-Mode MSS-ATC Mobile Terminals in the 2 GHz MSS Bands, *Order and Authorization*, 24 FCC Rcd. 171, 195 ¶ 65 (2009).



- (i) Wideband emissions to no more than -100 dBW/MHz and;
- (ii) Narrowband emissions to no more than -110 dBW/kHz.

Narrowband emissions are defined as those with discrete emissions of less than 700 Hz bandwidth. USGIC agrees that these conditions are sufficient to alleviate concerns with respect to OOB from the 2000-2020 MHz and 2180-2200 MHz bands into RNSS systems.² USGIC believes the potential interfering capability of other services should be considered on a case-by-case basis, particularly for services operating closer to the RNSS bands.²

These limits represent a significant concession on the part of DISH, but are consistent with agreements between USGIC and DISH's predecessors in interest.³ USGIC supports DISH's position that a shift of the AWS-4 uplink band by 5 MHz to 2005-2025 is unnecessary.

DISH Network Corporation

By: _____

Jeffrey H. Blum
Deputy General Counsel

Respectfully submitted,

The U.S. GPS Industry Council

By: _____

F. Michael Swiek
Executive Director

cc (by email): NTIA
IRAC Agencies
Ruth Milkman
Julius Knapp
John Leibovitz

² The USGIC is authorized by Deere & Company to state that USGIC member Deere & Company, which filed comments indicating that further study of OOB from AWS-4 into the RNSS bands is warranted, does not, and will not, object to the OOB limits set forth in this letter. Deere & Company, however, does support an evaluation of the appropriate OOB limits on a case-by-case basis with respect to other bands.

³ See *supra* n.1.